UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,134	02/27/2002	Tomi Heinonen	4208-4064	3405

7590 06/16/2004	EXAMINER
MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053	COLLINS, SCOTT M

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 06/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	10/083,134		HEINONEN ET AL.	
	Examiner		Art Unit	
	Scott M. Collins		2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*27 February 2002*</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-37*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-37*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2-6</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-37 examined.

2.   It is hereby acknowledged that the following papers have been received and placed of

record in the file: Information Disclosure Statements on 02/27/2002, 10/9/2002, 10/8/2003,

10/20/2003, 12/9/2003.

Information Disclosure Statement

3.   The information disclosure statement filed 10/20/2003 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that

portion which caused it to be listed; and all other information or that portion which caused it to

be listed. It has been placed in the application file, but the information referred to therein has not

been considered. Specifically, the non-patent publication "Bluetooth – The universal radio

interface for ad hoc, wireless connectivity" was not included with the PTO-1449 received on

10/20/2003. The reference was received with another PTO-1449 that was received on

10/08/2003 and also listed the reference. Both PTO-1449 documents have been duly annotated

(stricken thru and initialed respectively) by the Examiner.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this
> or a foreign country, before the invention thereof by the applicant for a patent.

5.   Claims 1, 26, 33-34, and 37 are rejected under 35 U.S.C. 102(a) as being anticipated by

Mandato et al., European Patent Application EP 1130869 A1 (herein referred to as Mandato).

6.   Referring to claim 1, Mandato has taught a method in a user's short-range wireless
terminal for sharing the user's personal profile with an inquiring wireless terminal in a wireless
network (Mandato figure 6), comprising:

    a.   installing the user's personal profile in a database of the user's short-range
wireless terminal (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);

    b.   editing the personal profile in a database of the user's short-range wireless
terminal in response to the user's input (Mandato page 9, paragraphs 80-85; page 10,
paragraph 91); and

    c.   transmitting the user's personal profile from the user's short-range wireless
terminal to an inquiring wireless terminal (Mandato page 9, paragraphs 80-85; page 10,
paragraph 91).

7.   Referring to claim 26, Mandato has taught the method wherein the user's short-range
wireless terminal and the inquiring wireless terminal register with a server (Mandato figure 6
where the server is shown to mediate all communication between the terminals).

8.   Referring to claim 33, Mandato has taught a terminal containing personal profiles for
access by other terminals in a short-range wireless communication system, comprising:

    a.   a database containing user defined profiles (Mandato figure 6);

    b.   database-managing apparatus to edit the user-defined personal profiles based
upon user input (Mandato figure 6 and page 9, paragraphs 80-85; page 10, paragraph 91);

    c.   screen display apparatus which displays the personal profiles for user access
(Mandato figure 6 devices with screens); and

    d.   apparatus responsive to inquiries from other terminals for access to the user

defined profiles (Mandato page 9, paragraphs 80-85; page 10, paragraph 91);

9.   Referring to claim 34, Mandato has taught the terminal further comprising:

    e.   records defining each profile stored in the database (Mandato figure 6 where

databases are filled with records).

10.   Referring to claim 37, Mandato has taught the terminal further comprising:

    h.   remote profile storing apparatus which stores the user defined profiles in a remote

centralized database for access by the user via a network (Mandato figure 6).

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Claims 2-25, 27-32, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Mandato in view of Haartsen, "Bluetooth– The universal radio interface for ad hoc, wireless

connectivity".

13.   Referring to claim 2, Mandato has not expressly disclosed any teaching regarding

Bluetooth. Haartsen has taught about Bluetooth and various Bluetooth devices (Haartsen figures

1 and 9 for specific device examples). At the time the invention was made, it would have been

obvious to a person of ordinary skill in the art to utilize Bluetooth to connect short-range wireless

terminals. One of ordinary skill in the art would have been motivated to do this because, as

Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

14. Referring to claim 3, Haartsen has taught the method which further comprises setting the user's short-range wireless terminal in a state to permit the user's personal profile to be accessed by inquiring wireless terminals (Haartsen pages 114-115, 'Piconets' section).

15. Referring to claims 4 and 14, Mandato has taught the method wherein installing the user's personal profile further comprises installing a standardized form of the user's personal profile into the same type of records (Mandato pages 12-13, paragraphs 97-109 where a standard profile entry form is detailed).

16. Referring to claim 5, Mandato taught the method wherein said installing the user's profile further comprises including a list of user interest in the records defined by a plurality of fields, each field including a series of attributes, where each attribute is defined by a name, a type, and a value (Mandato pages 12-13, paragraphs 97-109 where a large variety of information can be included in the profile).

17. Referring to claim 6, Mandato taught the method wherein said installing the user's profile further comprises including a bit mask characterizing each specified interest (Mandato pages 12-13, paragraphs 97-109 where since the data consists of bits, different interests would be specified by different bits which equate to bit masks).

18. Referring to claim 7, Mandato taught the method wherein said installing the user's profile further comprises storing a full complement of personalization data in one record (Mandato pages 12-13, paragraphs 97-109 where a large variety of information can be included in the profile).

19.   Referring to claim 8, Mandato has taught the method which further comprises filtering

incoming messages (Mandato figure 6 where the server filters and disperses messages to their

intended destinations).

20.   Referring to claim 9, Mandato has taught the method wherein said editing the personal

profile further comprises displaying an index screen in the user's terminal to enable the user to

access a process screen for editing and removing keywords related to the processes; and editing

and updating the personal profiles using a user interface of the user's terminal (Mandato page 10,

paragraph 91; and figure 6 where the devices have screens and means to update any processes or

profiles.).

21.   Referring to claim 10, Mandato has taught the method further comprising:

        a.   uploading the personal profiles via a network and storing them at a centralized

        database (Mandato page 9, paragraphs 80-85; and page 10, paragraph 91);

        b.   enabling editing of the personal profiles on a computer coupled to the centralized

        database (Mandato figure 6 and); and

        c.   downloading the edited personal profiles to the user's terminal (Mandato page 10,

        paragraph 91).

22.   Referring to claim 11, Mandato has taught the method wherein said installing the user's

profile further comprises installing the user's personal profile into a database divided into a

phone book section containing the user's personal profile and a more detailed data section for

detailed personal information (Mandato page 9, paragraphs 80-85, specifically paragraph 82).

23.   Referring to claim 12, Mandato has taught the method wherein said installing the user's personal profile further comprises writing generic information such as name and contact information into the phone book section (Mandato page 9, paragraphs 80-82).

24.   Referring to claim 13, Mandato has taught the method wherein said installing the user's personal profile further comprises writing detailed personal information into the more detailed data section, such as sports interest and hobby interests (Mandato page 9, paragraphs 80-85; page 11, paragraph 91).

25.   Referring to claims 15 and 17, Mandato has not expressly disclosed object exchange (OBEX) transaction or extended markup language (XML), but both the Examiner takes Official Notice that both of these formats where well known in the art at the time the invention was made.

26.   Referring to claim 16, Mandato has taught the method wherein said responding step further comprises sending the user information from the user's phonebook, encoded in a vCard electronic business card format (Mandato page 9, paragraph 82; page 12, paragraphs 97-105 where the vCard format was well known in the art at the time the invention was made).

27.   Referring to claims 18-20 and 23, Mandato has taught the method wherein the user's short-range wireless terminal transfers information from the user's personal profile in a pull or push model to the inquiring wireless terminal and wherein the user's short-range wireless terminal transfers general information to the user's personal profile in a push or pull model to the inquiring wireless terminal, without authentication or encryption (Mandato page 9, paragraph 80-85; and pages 10-11, paragraph 91 where information is delivered by either of these two well-known methods.). Mandato has not expressly disclosed by name the pull or push model of

transferring information, but the Examiner takes Official Notice that these methods were well known at the time the invention was made and it would have been obvious to one of ordinary skill in the art to utilize them.

28.   Referring to claims 21-22 and 24-25, Mandato has not any information regarding encryption and only a small amount of information regarding authentication. Haartsen has taught the method wherein more detailed, private information in the user's profile is protected by authentication and encryption (Haartsen page 115, 'Establishing connection' section; and page 117, 'Authentication and Encryption' section).

29.   Referring to claim 27, Haartsen has taught the method wherein the server provides matchmaking via Bluetooth links to the short-range wireless terminal and the inquiring wireless terminal based on having registered with the server (Haartsen page 115, 'Establishing connection' section; figures 1 and 9).

30.   Referring to claim 28, Mandato has taught the method wherein the registering includes checking user qualifications for matchmaking (Haartsen page 115, 'Establishing connection' section; figures 1 and 9).

31.   Referring to claim 29, Haartsen has taught the method wherein when two registered users attempt exchanging privacy sensitive information, they link to the server to obtain a PIN, thereby enabling a Bluetooth authentication procedure for both the short-range wireless terminal and the inquiring wireless terminal (Haartsen page 117, 'Authentication and Encryption' section).

32.   Referring to claims 30-32, Mandato has taught the method wherein the user's short-range wireless terminal shares general information in its personal profile with the inquiring wireless terminal (Mandato page 5, paragraph 34; and pages 10-11, paragraph 91). Mandato has not

expressly disclosed the distinction of the user profiles having a first or second level of close matching. However, it would have been obvious to one of ordinary skill in the art that sharing of more general information requires that the second party be authenticated up to a certain level and the sharing of more private information requires a higher level of authentication.

33.   Referring to claim 35, Mandato has taught the terminal further comprising a personalization apparatus which sets the terminal in a personalization state to permit access by other terminals in a transaction (Mandato page 10, paragraph 91 where access is permitted to other terminals). Mandato has not expressly disclosed the method for permitting access to the terminal as a personalization apparatus. However, the Examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made to denote Mandato's method as such.

34.   Referring to claim 36, Mandato has not expressly disclosed searching for other terminals. Haartsen has disclosed the terminal further comprising a searching apparatus which searches the short-range communication network for other terminals having matching personal profiles (Haartsen pages 114-115, 'Piconets' section). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize this standard method of Bluetooth that Haartsen has taught within Mandato's system. One of ordinary skill in the art would have been motivated to do this because, as Haartsen teaches throughout his article, Bluetooth is an excellent and efficient protocol for connecting short-range wireless terminals (Haartsen abstract and page 110, columns 1-2).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott M. Collins whose telephone number is 703.305.7865. The examiner can normally be reached on Mon.-Thurs. 7:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703.308.5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smc
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